

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

Appendix A

LRB BILL HISTORY RESEARCH APPENDIX

☞ The drafting file for 2013 LRB-2679/2 (For: Rep. Bewley

has been copied/added to the drafting file for

2013 LRB-3468 (For: Rep. Bewley)

☞ Are These "Companion Bills" ?? ... No



RESEARCH APPENDIX -
PLEASE KEEP WITH THE DRAFTING FILE

Date Transfer Requested: 10/18/2013 (Per: ARG)

☞ The attached draft was incorporated into the new draft listed above. For research purposes the attached materials were added, as a appendix, to the new drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2013 DRAFTING REQUEST

Bill

Received: **7/12/2013** Received By: **agary**
Wanted: **As time permits** Same as LRB:
For: **Janet Bewley (608) 266-7690** By/Representing: **Lori**
May Contact: Drafter: **agary**
Subject: **Beverages** Addl. Drafters:
Extra Copies: **GMM**

Submit via email: **YES**
Requester's email: **Rep.Bewley@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Retail license quotas; additional license if existing licensees do not comply with current ADA

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	agary 8/9/2013	evinz 7/25/2013	jfrantze 7/25/2013	_____	srose 7/25/2013		Local
/P2	agary 9/23/2013	evinz 8/14/2013	rschluet 8/14/2013	_____	lparisi 8/14/2013		Local
/P3	agary 9/24/2013	evinz 9/23/2013	jfrantze 9/24/2013	_____	lparisi 9/24/2013		Local

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/P4	agary 10/10/2013	evinz 9/24/2013	jfrantze 9/25/2013	_____	mbarman 9/25/2013		Local
/P5	agary 10/17/2013	evinz 10/14/2013	jfrantze 10/15/2013	_____	lparisi 10/15/2013		Local
/1	agary 10/17/2013	evinz 10/17/2013	jmurphy 10/17/2013	_____	srose 10/17/2013	mbarman 10/17/2013	Local
/2			jmurphy 10/17/2013	_____	sbasford 10/17/2013	sbasford 10/17/2013	Local

FE Sent For:

<END>

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/P5	agary 10/17/2013	evinz 10/14/2013	jfrantze 10/15/2013	_____	lparisi 10/15/2013		Local
/1		evinz 10/17/2013	jmurphy 10/17/2013	_____	srose 10/17/2013	mbarman 10/17/2013	Local

FE Sent For:

12 eeV 12 eeV Jmd JK
10/17/13 10/17/13 10/17
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11 elv
10/17/13

dm
10/17

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/P4		evinz 9/24/2013	jfrantze 9/25/2013	_____	mbarman 9/25/2013		Local
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FE Sent For:

p5 eev
 10/14/13
 p5
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 RS 10/15
 Jo
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104 EV
9/24/13
J 9/25

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/P1	agary 7/16/2013	evinz 7/25/2013	jfrantze 7/25/2013	_____	srose 7/25/2013		Local

FE Sent For:

1p2 eev
8/14/13
4/14/13
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/P1	agary	1p1 eev		<u>7/25</u>			Local
FE Sent For:		7/25/13					

<END>

Lori - Rep. Bowby - van 7/12

6-7690

town of Pilsen^{sp.?}, co.?

Pilsen, Ashland Co.

the 7/13

- 2 license; 2 facilities not accessible
- want another line
- given them ~~to~~ 9 mos. to upgrade; if not, town gets another line
- P-draft → in town of Pilsen
- "Class B"
- retail establishments need to upgrade to be ADA compliant w/in 9 mos.; if they don't, Pilsen gets another line

~~local law relating classes to be limited to town of Pilsen~~



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2679/P1

ARG:.....

in
7/16
B-Note
Leev

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SAV
ref N/A

1

AN ACT ^{gen cat} relating to: retail liquor license quotas.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population.

This bill modifies the quota formula to provide a municipality with one additional "Class B" license if the municipality has already reached its quota and if no "Class B" licensed establishment in the municipality satisfies current standards for public accommodations under the federal Americans with Disabilities Act (ADA).^v The additional "Class B" license may be issued only for an establishment that satisfies current ADA standards for public accommodations. ✓

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 125.51 (4) (br) 1. g. of the statutes is created to read:

125.51 (4) (br) 1. g. Beginning on the 2nd day of the 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date], add one license if on both the effective date of this subd. 1. g. [LRB inserts date], and on the first day of the 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date], no establishment operated under a "Class B" license in the municipality satisfied the standards under Title III of the federal Americans With Disabilities Act, 42 USC 12181 to 12189, and regulations adopted under the act, 28 CFR 36, if the total number of licenses issued by the municipality immediately prior to the effective date of this subd. 1. g. [LRB inserts date], ~~equalled~~^{equaled} the maximum number of licenses authorized under this subdivision, and if the additional license under this subd. 1. g. is issued for an establishment that satisfies the standards under Title III of the federal Americans With Disabilities Act, 42 USC 12181 to 12189, and regulations adopted under the act, 28 CFR 36.

(END)

D-Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2679/P1dn

ARG:.....

lee

date

ATTN: Lori Youngman

Please review the attached draft carefully to ensure that it is consistent with your intent.

When we spoke on the phone, I thought I would need to mention the town of Pilsen in this bill. Upon further reflection, there are probably very few municipalities where *none* of the "Class B" establishments comply with current ADA standards. I have therefore drafted the bill in a way that I believe obviates the need to name one specific municipality. However, if you prefer, I could draft a bill that simply creates a quota exception granting the town of Pilsen one additional "Class B" license. See, for example, 2013 AB-168 (town of Union).

My understanding is that a person or organization familiar with the ADA has advised that the two existing "Class B" establishments in the town of Pilsen do not meet current ADA requirements. If you are working with a disability rights group or another person or organization familiar with the ADA, I recommend that the person or group review the ADA language in the attached bill to ensure that it satisfies the intent for the bill.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2679/P1dn
ARG:eev:jf

July 25, 2013

ATTN: Lori Youngman

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Phone: (608) 261-6926
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STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

8/6

Lori

- Rep. Bentley

6 - 7690

LRB - 2679

Qs

· add non-state: clerk to provide notice
to business known to not
be ADA compliant



State of Wisconsin
2013 - 2014 LEGISLATURE

in
8/9



LRB-2679/PZ
ARG:eev:jf

soon

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- 1 AN ACT ^{reg}to create 125.51 (4) (br) 1. g. of the statutes; relating to: retail liquor
2 license quotas.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population.

This bill modifies the quota formula to provide a municipality with one additional "Class B" license if the municipality has already reached its quota and if no "Class B" licensed establishment in the municipality satisfies current standards for public accommodations under the federal Americans with Disabilities Act (ADA). The additional "Class B" license may be issued only for an establishment that satisfies current ADA standards for public accommodations.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 125.51 (4) (br) 1. g. of the statutes is created to read:

2 125.51 (4) (br) 1. g. Beginning on the 2nd day of the 10th month beginning after
3 the effective date of this subd. 1. g. [LRB inserts date], add one license if on both
4 the effective date of this subd. 1. g. [LRB inserts date], and on the first day of the
5 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date],
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7 standards under Title III of the federal Americans With Disabilities Act, 42 USC
8 12181 to 12189, and regulations adopted under the act, 28 CFR 36, if the total
9 number of licenses issued by the municipality immediately prior to the effective date
10 of this subd. 1. g. [LRB inserts date], equaled the maximum number of licenses
11 authorized under this subdivision, and if the additional license under this subd. 1.
12 g. is issued for an establishment that satisfies the standards under Title III of the
13 federal Americans With Disabilities Act, 42 USC 12181 to 12189, and regulations
14 adopted under the act, 28 CFR 36.

15

(END)

insert 2-15

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2679/P2ins
ARG:.....

1

2

INSERT 2-15:

3

SECTION ~~7~~^H. Nonstatutory provisions.

4

5

6

7

8

9

10

11

12

(1) No later than 30 days after the effective date of this subsection, the clerk of each municipality where the clerk knows or has reason to believe that none of the "Class B" licensed establishments in the municipality satisfy the standards under Title III of the federal Americans With Disabilities Act, 42 USC 12181 to 12189, and regulations adopted under the act, 28 CFR 36, shall provide notice to each "Class B" licensee in the municipality of the content of section 125.51 (4) (br) 1. g. of the statutes, as created by this act.

9/23

- Lori - Rep. Bewley
- 2679/P2 →

6-7690

- change : " current ADA
standards " →
to ~~the~~ → meet standards for
new construction →
make sure they don't get
grandfathered in

- CM



State of Wisconsin
2013 - 2014 LEGISLATURE

5000



LRB-2679/02 P3

ARG:eev:jf

in 9/23

RMR

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new construction

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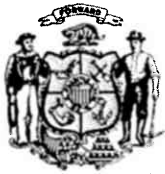
2 125.51 (4) (br) 1. g. Beginning on the 2nd day of the 10th month beginning after
3 the effective date of this subd. 1. g. [LRB inserts date], add one license if on both
4 the effective date of this subd. 1. g. [LRB inserts date], and on the first day of the
5 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date],
6 no establishment operated under a "Class B" license in the municipality satisfied the
7 standards under Title III of the federal Americans With Disabilities Act, 42 USC
8 12181 to 12189, and regulations adopted under the act, 28 CFR 36, if the total
9 number of licenses issued by the municipality immediately prior to the effective date
10 of this subd. 1. g. [LRB inserts date], equaled the maximum number of licenses
11 authorized under this subdivision, and if the additional license under this subd. 1.

12 g. is issued for an establishment that satisfies the standards under Title III of the
13 federal Americans With Disabilities Act, 42 USC 12181 to 12189, and regulations
14 adopted under the act, 28 CFR 36.

15 **SECTION 2. Nonstatutory provisions.**

16 (1) No later than 30 days after the effective date of this subsection, the clerk
17 of each municipality where the clerk knows or has reason to believe that none of the
18 "Class B" licensed establishments in the municipality satisfy the standards under
19 Title III of the federal Americans With Disabilities Act, 42 USC 12181 to 12189, and
20 regulations adopted under the act, 28 CFR 36, shall provide notice to each "Class B"
21 licensee in the municipality of the content of section 125.51 (4) (br) 1. g. of the
22 statutes, as created by this act.

23 (END)



State of Wisconsin
2013 - 2014 LEGISLATURE

in
9/24



LRB-2679/P3 P4

ARG:eev:jf

wanted by
9/26

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

9/24 H/C w/lori - new construction requirement
only applies to establishment getting the
new license; restore /P2 language for rest

regen

- 1 AN ACT *to create* 125.51 (4) (br) 1. g. of the statutes; **relating to:** retail liquor
2 license quotas.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population.

This bill modifies the quota formula to provide a municipality with one additional "Class B" license if the municipality has already reached its quota and if no "Class B" licensed establishment in the municipality satisfies standards for new construction under the federal Americans with Disabilities Act (ADA). The additional "Class B" license may be issued only for an establishment that satisfies ADA standards for new construction.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

public accommodation

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

public accommodations

1 **SECTION 1.** 125.51 (4) (br) 1. g. of the statutes is created to read:

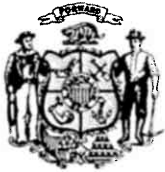
2 125.51 (4) (br) 1. g. Beginning on the 2nd day of the 10th month beginning after
3 the effective date of this subd. 1. g. [LRB inserts date], add one license if on both
4 the effective date of this subd. 1. g. [LRB inserts date], and on the first day of the
5 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date],
6 no establishment operated under a "Class B" license in the municipality satisfied the
7 standards for new construction under Title III of the federal Americans With
8 Disabilities Act, 42 USC 12181 to 12189, and regulations adopted under the act, 28
9 CFR 36, if the total number of licenses issued by the municipality immediately prior
10 to the effective date of this subd. 1. g. [LRB inserts date], equaled the maximum
11 number of licenses authorized under this subdivision, and if the additional license
12 under this subd. 1. g. is issued for an establishment that satisfies the standards for
13 new construction under Title III of the federal Americans With Disabilities Act, 42
14 USC 12181 to 12189, and regulations adopted under the act, 28 CFR 36.

15 **SECTION 2. Nonstatutory provisions.**

16 (1) No later than 30 days after the effective date of this subsection, the clerk
17 of each municipality where the clerk knows or has reason to believe that none of the
18 "Class B" licensed establishments in the municipality satisfy the standards for new
19 construction under Title III of the federal Americans With Disabilities Act, 42 USC
20 12181 to 12189, and regulations adopted under the act, 28 CFR 36, shall provide
21 notice to each "Class B" licensee in the municipality of the content of section 125.51
22 (4) (br) 1. g. of the statutes, as created by this act.

23

(END)



State of Wisconsin
2013 - 2014 LEGISLATURE

Soon

in 10/10



LRB-2679/PS

ARG:eev:jf

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

10/10 the w/ term - add accessibility guidelines

D-Note

regen

- 1 AN ACT *to create* 125.51 (4) (br) 1. g. of the statutes; relating to: retail liquor
- 2 license quotas.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population.

accessibility
This bill modifies the quota formula to provide a municipality with one additional "Class B" license if the municipality has already reached its quota and if no "Class B" licensed establishment in the municipality satisfies current standards for public accommodations under the federal Americans with Disabilities Act (ADA). The additional "Class B" license may be issued only for an establishment that satisfies ADA public accommodation standards for new construction.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1182
2-1

1 SECTION 1. 125.51 (4) (br) 1. g. of the statutes is created to read:

2 125.51 (4) (br) 1. g. Beginning on the 2nd day of the 10th month beginning after
3 the effective date of this subd. 1. g. [LRB inserts date], add one license if on both
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5 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date],

6 no establishment operated under a "Class B" license in the municipality satisfied the

7 standards under Title III of the federal Americans With Disabilities Act, 42 USC

8 12181 to 12189, and regulations adopted under the act, 28 CFR 36, if the total

9 number of licenses issued by the municipality immediately prior to the effective date

10 of this subd. 1. g. [LRB inserts date], equaled the maximum number of licenses

11 authorized under this subdivision, and if the additional license under this subd. 1.

12 g. is issued for an establishment that satisfies the standards for new construction

13 under Title III of the federal Americans With Disabilities Act, 42 USC 12181 to

14 12189, and regulations adopted under the act, 28 CFR 36.

15 SECTION 2. Nonstatutory provisions.

16 (1) No later than 30 days after the effective date of this subsection, the clerk
17 of each municipality where the clerk knows or has reason to believe that none of the

18 "Class B" licensed establishments in the municipality satisfy the standards under

19 Title III of the federal Americans With Disabilities Act, 42 USC 12181 to 12189, and

20 regulations adopted under the act, 28 CFR 36, shall provide notice to each "Class B"

21 licensee in the municipality of the content of section 125.51 (4) (br) 1. g. of the

22 statutes, as created by this act.

23

(END)

D. Note

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2679/P5ins
ARG:.....

1

2 **INSERT 2-1:**

3 **SECTION 1.** 125.02 (5m) of the statutes is created to read:

4 125.02 (5m) "Federal accessibility standards" means the standards under the
5 accessibility guidelines for Title III of the federal Americans With Disabilities Act,
6 42 USC 12181 to 12189, and regulations adopted under the act, 28 CFR 36.

7

8

9 **INSERT 2-7:**

10 (no 4) federal accessibility

11

12 **INSERT 2-12:**

13 (no 4) federal accessibility

14

15 **INSERT 2-18:**

16 (no 4) federal accessibility standards, as defined in section 125.02 (5m) of the
17 statutes,

18

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2679/P5dn

ARG:1:....

leev

date

ATTN: Lori Youngman

This draft adds the "accessability guidelines" language we discussed. I also tried to make the provision easier to read by creating a definition, which enabled me to eliminate some of the lengthy, repeated verbiage.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

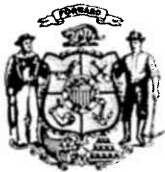
LRB-2679/P5dn
ARG:eev:eev

October 15, 2013

ATTN: Lori Youngman

This draft adds the "accessibility guidelines" language we discussed. I also tried to make the provision easier to read by creating a definition, which enabled me to eliminate some of the lengthy, repeated verbiage.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE

TODAY



LRB-2679/P6

ARG:eev:eev

10/17

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

10/17 Hc from Lori - looks good, wants /1

No changes

regen

- 1 AN ACT *to create* 125.02 (5m) and 125.51 (4) (br) 1. g. of the statutes; relating
2 to: retail liquor license quotas.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population.

This bill modifies the quota formula to provide a municipality with one additional "Class B" license if the municipality has already reached its quota and if no "Class B" licensed establishment in the municipality satisfies current accessibility standards for public accommodations under the federal Americans with Disabilities Act (ADA). The additional "Class B" license may be issued only for an establishment that satisfies ADA public accommodation accessibility standards for new construction.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 125.02 (5m) of the statutes is created to read:

125.02 (5m) “Federal accessibility standards” means the standards under the accessibility guidelines for Title III of the federal Americans With Disabilities Act, 42 USC 12181 to 12189, and regulations adopted under the act, 28 CFR 36.

SECTION 2. 125.51 (4) (br) 1. g. of the statutes is created to read:

125.51 (4) (br) 1. g. Beginning on the 2nd day of the 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date], add one license if on both the effective date of this subd. 1. g. [LRB inserts date], and on the first day of the 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date], no establishment operated under a “Class B” license in the municipality satisfied federal accessibility standards, if the total number of licenses issued by the municipality immediately prior to the effective date of this subd. 1. g. [LRB inserts date], equaled the maximum number of licenses authorized under this subdivision, and if the additional license under this subd. 1. g. is issued for an establishment that satisfies federal accessibility standards for new construction.

SECTION 3. Nonstatutory provisions.

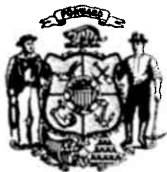
(1) No later than 30 days after the effective date of this subsection, the clerk of each municipality where the clerk knows or has reason to believe that none of the “Class B” licensed establishments in the municipality satisfy federal accessibility standards, as defined in section 125.02 (5m) of the statutes, shall provide notice to each “Class B” licensee in the municipality of the content of section 125.51 (4) (br) 1. g. of the statutes, as created by this act.

(END)

Barman, Mike

From: Hoey, Joseph
Sent: Thursday, October 17, 2013 10:40 AM
To: LRB.Legal
Subject: Draft Review: LRB -2679/1 Topic: Retail license quotas; additional license if existing licensees do not comply with current ADA

Please Jacket LRB -2679/1 for the ASSEMBLY.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2679/1 Z
ARG:eev:eev

2013 BILL

10/17 t/c w/ Joe Hey - make this change

in
10/17
wanted
10/18

RMNR

PA: Jack +

has been
requested to be
sent back. ARG

regin

- 1 AN ACT to create 125.02 (5m) and 125.51 (4) (br) 1. g. of the statutes; relating
2 to: retail liquor license quotas.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population.

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For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL

SECTION 1. 125.02 (5m) of the statutes is created to read:

125.02 (5m) “Federal accessibility standards” means the standards under the accessibility guidelines for Title III of the federal Americans With Disabilities Act, 42 USC 12181 to 12189, and regulations adopted under the act, 28 CFR 36.

SECTION 2. 125.51 (4) (br) 1. g. of the statutes is created to read:

125.51 (4) (br) 1. g. Beginning on the 2nd day of the 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date], add one license if on both the effective date of this subd. 1. g. [LRB inserts date], and on the first day of the 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date], no establishment operated under a "Class B" license in the municipality satisfied federal accessibility standards, if the total number of licenses issued by the municipality immediately prior to the effective date of this subd. 1. g. [LRB inserts date], equaled the maximum number of licenses authorized under this subdivision, and if the additional license under this subd. 1. g. is issued for an establishment that satisfies federal accessibility standards for new construction.

SECTION 3. Nonstatutory provisions.

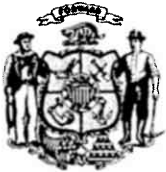
Upon request by a resident of
a municipality who

(1) No later than 30 days after the effective date of this subsection, the clerk of each municipality where the clerk knows or has reason to believe that none of the

“Class B” licensed establishments in the municipality satisfy federal accessibility standards, as defined in section 125.02 (5m) of the statutes, shall provide notice to each “Class B” licensee in the municipality of the content of section 125.51 (4) (br) 1. g. of the statutes, as created by this act.

(END)

as created
by this act,



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2679/2
ARG:eev:eev

2013 BILL

1 **AN ACT** *to create* 125.02 (5m) and 125.51 (4) (br) 1. g. of the statutes; **relating**
2 **to:** retail liquor license quotas.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population.

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For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL**SECTION 1**

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3 accessibility guidelines for Title III of the federal Americans With Disabilities Act,
4 42 USC 12181 to 12189, and regulations adopted under the act, 28 CFR 36.

5 **SECTION 2.** 125.51 (4) (br) 1. g. of the statutes is created to read:

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7 the effective date of this subd. 1. g. [LRB inserts date], add one license if on both
8 the effective date of this subd. 1. g. [LRB inserts date], and on the first day of the
9 10th month beginning after the effective date of this subd. 1. g. [LRB inserts date],
10 no establishment operated under a "Class B" license in the municipality satisfied
11 federal accessibility standards, if the total number of licenses issued by the
12 municipality immediately prior to the effective date of this subd. 1. g. [LRB inserts
13 date], equaled the maximum number of licenses authorized under this subdivision,
14 and if the additional license under this subd. 1. g. is issued for an establishment that
15 satisfies federal accessibility standards for new construction.

16 **SECTION 3. Nonstatutory provisions.**

17 (1) Upon request by a resident of a municipality who knows or has reason to
18 believe that none of the "Class B" licensed establishments in the municipality satisfy
19 federal accessibility standards, as defined in section 125.02 (5m) of the statutes, as
20 created by this act, the clerk of the municipality shall provide notice to each "Class
21 B" licensee in the municipality of the content of section 125.51 (4) (br) 1. g. of the
22 statutes, as created by this act.

23

(END)